

MEETING MINUTES
Board of Mental Health Practice
March 3, 2006

1. ROLL CALL

The meeting of the Board in Mental Health Practice was called to order by the Chairperson, Amanda Randall, at 9:07 A.M., in Sixth Floor Conference Room Z, State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members, and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

Members Present:	John Atherton	-	Secretary
	John Danforth	-	Member
	Janice Fitts	-	Member
	Monalisa McGee-Snyder	-	Member
	Susan Meyerle	-	Vice-Chairperson
	Amanda Randall	-	Chairperson
Members Absent:	Vickie Frizzell-Pratt	-	Member
	Mike Kinney	-	Member
	Gail Lorenzen	-	Member
	Layne Prest	-	Member
Staff Present:	Kris Chiles	-	Section Administrator, Credentialing Division
	Nancy Herdman-	-	Credentialing, Program Specialist
	Susan Strong	-	Attorney General Representative
	Terry Nutzman	-	Attorney General Representative
	Mike Grutsch	-	Investigations & Enforcement Division
	Loretta Bennett	-	Investigations & Enforcement Division
	George Pflager	-	Investigations & Enforcement Division
	Barbara Remmers	-	Investigations & Enforcement Division

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

Randall called for changes or additions that need to be made to the Agenda. Hearing none, she stated that she does have one additional item to be addressed under 8b, as new business.

MOTION: Meyerle moved, seconded by Atherton to adopt the agenda. A roll call vote was taken. Voting aye: Atherton, Danforth, Fitts, McGee-Snyder, Meyerle, Randall (6). Voting nay: none (0). Absent: Frizzell-Pratt, Kinney, Lorenzen, Prest (4). Motion carried.

Each board member provided a brief introduction of themselves to the two representatives from the Attorney General's office, and they provided the same to the board. Susan Strong was identified as the Assistant Attorney General, assigned to this board.

3. APPROVAL OF MINUTES

MOTION: Atherton moved, seconded by Meyerle to approve the minutes of January 6, 2006. A roll call vote was taken. Voting aye: Atherton, Danforth, Fitts, McGee-Snyder, Meyerle, Randall (6). Voting nay: none (0). Absent: Frizzell-Pratt, Kinney, Lorenzen, Prest (4). Motion carried.

9:10 A.M. - Prest joined the meeting in open session

4. INVESTIGATIVE REPORTS – CLOSED SESSION

MOTION: McGee-Snyder moved, seconded by Meyerle to enter into closed session at 9:10 A.M. to hear discussions of a confidential nature for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Atherton, Danforth, Fitts, McGee-Snyder, Meyerle, Prest, Randall (7). Voting nay: none (0). Absent: Frizzell-Pratt, Kinney, Lorenzen, (3). Motion carried.

9:17 A.M.	-	Bennett departed the meeting
9:24 A.M.	-	Lorenzen departed the meeting
9:26 A.M.	-	Randall declared a conflict of interest and departed the meeting in closed session
9:29 A.M.	-	Meyerle Departed the meeting
9:30 A.M.	-	Meyerle & Randall rejoined the meeting
9:34 A.M.	-	Herdman departed the meeting
9:40 A.M.	-	Herdman rejoined the meeting
10:18 A.M.	-	The board took a break
10:22 A.M.	-	Board resumed meeting in closed session

5. DISCIPLINARY INFORMATION – OPEN SESSION

MOTION: McGee-Snyder moved, seconded by Atherton to enter into open session at 10:22 AM. A roll call vote was taken. Voting aye: Atherton, Danforth, Fitts, McGee-Snyder, Meyerle, Prest, Randall (7). Voting nay: none (0). Absent: Frizzell-Pratt, Kinney, Lorenzen, (3). Motion carried.

Chiles presented the board with an overview of the actions taken since the last meeting of the Board (January 6, 2006).

a. Actions Pending/Taken

Donald Holmquist

Mr. Holmquist was placed on probation from 02/09/06 through 02/09/11. This was following a suspension then a reinstatement of his Provisional License as a Mental Health Practitioner.

Michael Pella

Mr. Pella holds a License as a Mental Health Practitioner and there was a Non-Disciplinary Assurance of Compliance filed 01/16/06.

Timothy Shea

A petition for Disciplinary Action has been filed.

Lisa Zlomke

A petition for Disciplinary Action was filed on 01/19/2006.

6. APPLICATION REVIEWS AND ISSUES

a. Applications

Chiles reported that there is one application to be reviewed and indicated that the applicant will be joining the meeting at about 11:00 A.M. Chiles asked that discussion regarding this application be tabled until such time as the applicant arrives to partake in such discussion.

Chiles advised the board that we have recently been receiving a lot of affidavits from persons who failed to register their change in supervisor. She clarified that although the Regulations address the issue that such registration change must be made within 30-days, there is no penalty set out for failing to register such supervisory change within the given time frame. She stated that we currently have three applications/affidavits in the Legal Division for recommendation. We may at some point in time need to revise the regulations, in accordance with the expectation of the board.

Chiles asked what the intent of the board was with regard to submitting proper notification of such changes in supervision, when the individual is registered, but when changes in the registered supervision are not made within a 30-day time period. The board indicated that they remain concerned about such situations. The suggestion was made that a brief reminder be included in the next newsletter published by this board.

Randall stated that we have been presented with two letters of request from foreign graduate applicants asking that their academic credentials be determined to be equivalent to a graduate degree obtained through an accredited program.

Maria Villasante

Randall stated that Villasante obtained her master's degree from a school in Peru. Several pieces of supporting documentation have also been received. Villasante has made application as a Provisionally Licensed Mental Health Practitioner.

Chiles brought the board's attention to the regulatory definition of an approved mental health practice program as including, from an institution of higher education approved by the Council for Higher Education Accreditation and must also either meet the accredited or non-accredited option. Chiles pointed out that such accreditation is NOT offered for programs outside of the United States.

There was discussion regarding the degree, the coursework and the accreditation. Chiles reminded the board that the question before them today is whether they wish to consider/recommend acceptance of degrees of this type, that are evaluated by a known evaluator in the United States, as being equivalent to a degree obtained within the United States.

The board agreed that if the degree is evaluated by a known evaluator as equal to a degree from a regionally accredited program in the U.S., then it should be accepted. Chiles advised that she will present such recommendation to the Department's legal staff, for a determination on how the board's recommendation relates to the statutes as they are currently in place, and do the regulations need further modification to accept such education.

The board deferred further review of the applications until such time as the required recommendation is obtained from the Department's Legal Division.

11:09 A.M. - Villasante, applicant for PLMHP, joined the meeting

Villasante provided a brief overview of her education, experience and the reason for her request. She was advised that, although her educational transcript has been evaluated to be equivalent to a program from a Regionally Accredited Program, we are bound by the legal wording within our Regulations. Currently the regulations include that the degree must be from an approved mental health practice program and further define that as being an institution of higher education approved by the Council for Higher Education Accreditation. The board advised Villasante that as soon as a determination is received from the Department's Legal Division, she will be so notified.

11:20 A.M. - Villasante left the meeting

b. Convictions

♦ Carissa Ramsey

Chiles stated that although we have received an application for CSW from Ramsey, we have not received adequate supporting documentation relative to her conviction history, for presentation and determination by the board, at this time. Chiles advised that once we have received all relative supporting documentation, this application will be presented to the board for their recommendation.

c. Reinstatements

◆ **Kimberly Burlingame**

Chiles stated that Ms. Burlingame has submitted a completed application and required supporting documentation for reinstatement of her Certification as a Social Worker (CSW).

(MOTION: Danforth moved, seconded by Meyerle that the board accept the application and request for reinstatement of this certification. A roll call vote was taken. Voting aye: Atherton, Danforth, Fitts, Lorenzen, McGee-Snyder, Meyerle, Prest, Randall (8). Voting nay: none (0). Absent: Frizzell-Pratt, Kinney (2). Motion carried.

11:12 A.M. - Atherton departed the meeting
11:15 A.M. - Atherton rejoined the meeting

◆ **Jacqueline Gray Okun**

Chiles stated that Ms. Okun has submitted a completed application and required supporting documentation for reinstatement of her License as a Mental Health Practitioner.

(MOTION: McGee-Snyder moved, seconded by Prest that the board accept the application and request for reinstatement of this license. A roll call vote was taken. Voting aye: Danforth, Fitts, Lorenzen, McGee-Snyder, Meyerle, Prest, (6). Voting nay: none (0). Absent: Atherton, Frizzell-Pratt, Kinney (3). Abstaining: Randall (1). Motion carried.

◆ **Robert Jay Palmer**

Chiles reported that Ms. Palmer had submitted a completed application and required supporting documentation for reinstatement of his License as a Mental Health Practitioner and certification as a Master Social Worker.

(MOTION: Prest moved, seconded by McGee-Snyder that the board accept the application and request for reinstatement of this license and certification. A roll call vote was taken. Voting aye: Atherton, Danforth, Fitts, Lorenzen, McGee-Snyder, Meyerle, Prest, Randall (8). Voting nay: none (0). Absent: Frizzell-Pratt, Kinney (2). Motion carried.

d. Administrative Penalties

There were no administrative penalties assessed since the last meeting of the Board.

7. UNFINISHED BUSINESS

a. Newsletter-Volume 2

Randall indicated that each member was given a draft copy of the newsletter. She stated that she does have one change in her article, and that is that both standards are now "out", for electronic practice. She stated that NASW has provided her with one copy of such practice standards.

There was a brief discussion regarding some corrections and changes to be made to the newsletter. Suggestions included a "welcome" article, identifying the new board members, as well as the new assistant attorney general assigned to this board. McGee-Snyder will revise her article on supervision to include a reminder of the regulatory change in July 2004, requiring registration of new/changes in supervision for PLMHP's within 30-days of such change.

All changes and additions are to be to Chiles by March 7, 2006. Chiles pointed out that Shaff (prior Assistant Attorney General) had written an article for inclusion in the newsletter. Given that Shaff is no longer employed at the Attorney General's office, Chiles asked that either Nutzman or Strong confirm that inclusion of his article is still appropriate.

Chiles advised that the information provided regarding disciplinary action has become lengthy and will likely become even lengthier. She asked the board if they still wish to include such information in their newsletter. The board stated that this information is traditionally included in other state's newsletters and is an important piece of information for licensees. They do wish to continue to include such information in their newsletter. Chiles will make corrections/changes and e-mail the final draft to each board member. Chiles indicated that the goal is that this newsletter be published and mailed in April 2006.

b. Legislation

Chiles stated that she had mailed copies of all legislation currently pending, with the web site addresses so they may be viewed at each member's convenience.

- **LB 271**

This bill includes the expanded scope of practice for mental health practitioners (authority to diagnose major mental disorders). Chiles stated that the bill has come out of committee and has been placed on general file but as of January 9, 2006, the status of this bill has not changed. It has not been identified as a priority bill, so it's not likely that this bill will be acted upon this session.

- **LB 1036**

This bill would require those social workers that are employed by the Department of Health and Human Services, to be certified. This would not apply to persons who are currently employed by the Department of Health and Human Services, but would apply to new hires. The hearing on this bill was January 23, 2006 and had not yet come out of committee.

- **LB 1177**

This bill was put in as a Placeholder for legislation regarding the ULL. Chiles stated that this was only a Placeholder and given that this is a short session, it's unlikely that this will move forward this session.

Chiles stated that we were not allowed to introduce new legislation this session. She stated that each member should have received correspondence with reference to the upcoming year and what the plans are for introduction of legislation. Issues that have been identified at the spring and Fall Forums will be reviewed for possible action/changes. There will be re-writing done during the next year and we will seek introduction during next year's legislative session. This will include this board's practice act. She asked that she be advised of any issues that need to be addressed/changed/modified. She identified issues such as reinstatement and foreign degree's, as possible topics for discussion of change.

c. Board Sponsored Continuing Education Program

Chiles advised that the board had previously discussed offering another continuing education program during 2006. Although Perkins is no longer a member on this board, he has agreed to provide the Clinical Records Management A Matter of Ethics, as a continuing education program and we can utilize his services by contracting directly with him.

It was determined that the Board would sponsor 2 programs during 2006, prior to the renewal/expiration date of September 1, 2006.

11:30 A.M. - Prest departed the meeting
11:35 A.M. - Prest re-entered the meeting

8. NEW BUSINESS

Randall advised the board that she'd received a request from Scott Adams, Director of Catholic Social Services. The request was that the board send a letter of encouragement to an employee of Adams, who is working towards licensure but has experienced some major health issues, which have hampered the individuals ability to move forward towards licensure, in a timely manner, under difficult circumstances. After brief discussion by the board, it was agreed that this clearly does not fall within the role of the board.

a. Reports

• AASCB Correspondence

None

• AMFTRB Correspondence

Danforth advised that he's currently serving on a sub-committee and they are discussing portability.

• ASWB Correspondence

Randall stated that the Spring Education Meeting dealing with ethics will take place April 27-30, 2006, in Portland, Oregon on Ethical Practice. She stated that about every third or fourth year, ASWB devotes an entire meeting, specifically to ethics. She stated that this is an International meeting and it's very interesting to see how many of the other jurisdictions, i.e., Canada, handle specific issues.

Meyerle has also been approved to attend said meeting.

Randall reminded the board that New Board Member Training is open to all members of licensing boards. There are a total of three training sessions this year, which are being held March 10-12, June 23-25, and August 25-27.

• Citizen Advocacy Correspondence

There will be a Consumers Conference presented on September 20-22, 2006. Chiles asked that this issue be re-visited at the next board meeting and advised that if there is a board member interested in attending that meeting, the board can allocate the funds necessary for such.

d. Other

McGee-Snyder suggested that at the May 5, 2006 meeting of the board, recognition of service by Myers, a recent board member, and Shaff, the previous Assistant Attorney General assigned to this board, occur in the form of the usual presentations of appreciation. The board agreed that this is their wish and that invitations of attendance at the May 5th meeting be extended to them both. Such recognition will take place at the beginning of that board meeting.

9. ADJOURNMENT

There being no further business, the meeting of the Board of Mental Health Practice adjourned at 11:54 A.M.

Respectfully Submitted,

John Atherton, Secretary
Board of Mental Health Practice

**The next board
meeting is scheduled
for May 5, 2006.**

Tape Recorded and Summarized by:
Cindy Kelley, Health Licensing Specialist
Credentialing Division